



**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT A. BEAIRD,

Defendant.

2:14-CR-00070-GMN-GWF-1

**PRELIMINARY ORDER OF FORFEITURE**

This Court finds that on June 30, 2014, defendant ROBERT A. BEAIRD pled guilty to Count One of a One-Count Criminal Indictment charging him in Count One with Felon in Possession of a Firearm in violation of Title 18, United States Code, Section 922(g)(1). Criminal Indictment, ECF No. 1; Change of Plea, ECF No. \_\_; Plea Agreement, ECF No. \_\_.

This Court finds defendant ROBERT A. BEAIRD agreed to the forfeiture of the property set forth in the Plea Agreement, and the Forfeiture Allegation of the Criminal Indictment. Criminal Indictment, ECF No. 1; Change of Plea, ECF No. \_\_; Plea Agreement, ECF No. \_\_.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Indictment and the offense to which defendant ROBERT A. BEAIRD pled guilty.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c):

- 1           a.     a Colt Frontier Scout 22-caliber revolver bearing serial number 105843F; and
- 2           b.     any and all ammunition.
- 3     (all of which constitutes "property").

4           This Court finds the United States of America is now entitled to, and should, reduce the  
5     aforementioned property to the possession of the United States of America.

6           NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the  
7     United States of America should seize the aforementioned property.

8           IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of  
9     ROBERT A. BEAIRD in the aforementioned property is forfeited and is vested in the United States of  
10    America and shall be safely held by the United States of America until further order of the Court.

11          IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America  
12    shall publish for at least thirty (30) consecutive days on the official internet government forfeiture  
13    website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall describe the forfeited property, state the  
14    time under the applicable statute when a petition contesting the forfeiture must be filed, and state the  
15    name and contact information for the government attorney to be served with the petition, pursuant to  
16    Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

17          IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity  
18    who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate  
19    the validity of the petitioner's alleged interest in the property, which petition shall be signed by the  
20    petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and  
21    Title 28, United States Code, Section 1746, and shall set forth the nature and extent of the petitioner's  
22    right, title, or interest in the forfeited property and any additional facts supporting the petitioner's  
23    petition and the relief sought.

24          IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed  
25    with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no later than  
26    thirty (30) days after the notice is sent or, if direct notice was not sent, no later than sixty (60) days

1 after the first day of the publication on the official internet government forfeiture site,  
2 www.forfeiture.gov.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,  
4 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the  
5 following address at the time of filing:

6 Michael A. Humphreys  
Assistant United States Attorney  
7 Daniel D. Hollingsworth  
Assistant United States Attorney  
8 Lloyd D. George United States Courthouse  
333 Las Vegas Boulevard South, Suite 5000  
9 Las Vegas, Nevada 89101.

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein  
11 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency  
12 following publication of notice of seizure and intent to administratively forfeit the above-described  
13 property.

14 DATED this 1 day of July, 2014.

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18 UNITED STATES DISTRICT JUDGE  
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